

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

JOSE LUIS PENA-CEPEDA

VS.

CRIMINAL ACTION NO. 3:04CR164TSL-JSC
CIVIL ACTION NO. 3:06cv28TSL-JCS

UNITED STATES OF AMERICA

JUDGMENT

Pursuant to the memorandum opinion and order entered on November 21, 2006, it is hereby ORDERED AND ADJUDGED that Pena-Cepeda's motion to vacate under § 2255 is dismissed with prejudice. Furthermore, pursuant to the order entered on November 21, 2006, it is hereby ORDERED AND ADJUDGED that Pena-Cepeda's motion for relief under § 2241 is dismissed with prejudice as to the jurisdictional issue and without prejudice as to the remaining issues.

SO ORDERED this the 18th day of December, 2006.

S/_Tom S. Lee_____
UNITED STATES DISTRICT JUDGE